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Declaration  
P/Atty

**COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**  
(Includes Reference to Provisional and PCT International Applications)

Attorney's Docket No.

032491-013

As a below named inventor, I hereby declare that:  
My residence, post office address and citizenship are as stated below next to my name;  
I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor  
(if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention  
entitled:

INDWELLING HEAT EXCHANGE CATHETER AND METHOD OF USING SAME

the specification of which (check only one item below):

☐ is attached hereto.☒ was filed as United States applicationNumber 09/133,813on August 13, 1998

and was amended

on \_\_\_\_\_

(if applicable).

☐ was filed as PCT international application

Number \_\_\_\_\_

on \_\_\_\_\_

and was amended

on \_\_\_\_\_

(if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(e) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

**PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. §119:**

COUNTRY (if PCT, Indicate "PCT")	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 U.S.C. §119
			_ Yes _ No
			_ Yes _ No
			_ Yes _ No
			_ Yes _ No
			_ Yes _ No

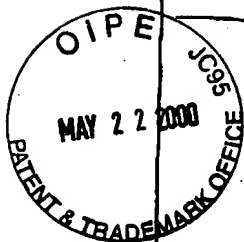
I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

(Application Number)

(Filing Date)

(Application Number)

(Filing Date)



I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the Office all information known to me to be material to the patentability as defined in Title 37, Code of Federal Regulations §1.56, which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. §120:

U.S. APPLICATIONS		STATUS (check one)		
U.S. APPLICATION NUMBER	U.S. FILING DATE	PATENTED	PENDING	ABANDONED
09/063,984	April 21, 1998		X	
PCT APPLICATIONS DESIGNATING THE U.S.				
PCT APPLICATION NO.	PCT FILING DATE	U.S. APPLICATION NUMBERS ASSIGNED (if any)		

I hereby appoint the following attorneys and agent(s) to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and to transact all business in connection with international applications directed to said invention:

William L. Mathis	17,337	R. Danny Huntington	27,903	Gerald F. Swiss	30,113
Robert S. Swecker	19,885	Eric H. Weisblatt	30,305	Michael J. Lre	33,089
Platon N. Mandros	22,124	James W. Peterson	26,057	Charles F. Wieland III	33,096
Hendon S. Duffett, Jr.	22,030	Teresa Stanek Res	30,427	Bruce T. Wieder	33,815
Norman H. Supno	22,716	Robert E. Krebs	25,885	Todd R. Walters	34,040
Ronald L. Grudzicki	24,970	William C. Rowland	30,838	Ronny S. Jillions	31,979
Frederick G. Michaud, Jr.	26,003	T. Gene Dillahunty	25,423	Harold R. Brown III	36,341
Alan E. Kopecki	25,813	Patrick C. Keane	32,858	Allen R. Baum	36,086
Regis E. Slatter	26,999	Arnee J. Bugge, Jr.	32,344	Steven M. du Bois	35,023
Samuel C. Miller, III	27,360	William H. Donz	25,952	Urian P. O'Shaughnessy	32,747
Robert G. Mukai	28,531	Peter K. Skiff	31,917	Kenneth B. Telfer	36,075
George A. Hovance, Jr.	28,223	Richard J. McGrath	29,195	Fred W. Hathaway	32,336
James A. LaDurre	29,632	Matthew L. Schneider	32,814		
E. Joseph Gess	29,510	Michael G. Savage	32,596		

21839

and: Khaled Shami, Reg. No. 38,745, Arlyn L. Alonzo, Reg. No. 44,502, John L. Rogitz, Reg. No. 33,549

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Robert E. Krebs  
BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
P.O. Box 1404  
Alexandria, Virginia 22313-1404

Address all telephone calls to: Khaled Shami at (650) 622-2300.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF SOLE OR FIRST INVENTOR		SIGNATURE	DATE
Wayne A. Noda		<i>Wayne Noda</i>	5/17/00
RESIDENCE		CITIZENSHIP	
23072 Paseo Rincon, Mission Viejo, California 92692		U.S.A.	
POST OFFICE ADDRESS			
28072 Paseo Rincon, Mission Viejo, California 92692			
FULL NAME OF SECOND JOINT INVENTOR, IF ANY		DATE	
Mike L. Jones			
RESIDENCE		CITIZENSHIP	
34441 Camino El Molino, Capistrano Beach, California 92624		U.S.A.	
POST OFFICE ADDRESS			
34441 Camino El Molino, Capistrano Beach, California 92624			
FULL NAME OF THIRD JOINT INVENTOR, IF ANY		SIGNATURE	DATE
Scott M. Evans		<i>Scott M. Evans</i>	5/17/00
RESIDENCE		CITIZENSHIP	
1252 Country Hills Drive, Santa Ana, California 92705		U.S.A.	
POST OFFICE ADDRESS			
1252 Country Hills Drive, Santa Ana, California 92705			
FULL NAME OF FOURTH JOINT INVENTOR, IF ANY		SIGNATURE	DATE
Blair D. Walker		<i>Blair D. Walker</i>	5/17/00
RESIDENCE		CITIZENSHIP	
24742 San Duval Lane, Mission Viejo, CA 92691		U.S.A.	
POST OFFICE ADDRESS			
24742 San Duval Lane, Mission Viejo, CA 92691			
FULL NAME OF FIFTH JOINT INVENTOR, IF ANY		SIGNATURE	DATE
William J. Werthen		<i>William J. Werthen</i>	5/16/00
RESIDENCE		CITIZENSHIP	
37 Oakbrook, Coto de Caza, California 92679		U.S.A.	
POST OFFICE ADDRESS			
37 Oakbrook, Coto de Caza, California 92679			
FULL NAME OF SIXTH JOINT INVENTOR, IF ANY		SIGNATURE	DATE
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS			
FULL NAME OF SEVENTH JOINT INVENTOR, IF ANY		SIGNATURE	DATE
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS			
FULL NAME OF EIGHTH JOINT INVENTOR, IF ANY		SIGNATURE	DATE
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS			
FULL NAME OF NINTH JOINT INVENTOR, IF ANY		SIGNATURE	DATE
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INDWELLING HEAT EXCHANGE CATHETER AND METHOD OF USING SAME

the specification of which (check only one item below):

☐ is attached hereto.☒ was filed as United States applicationNumber 09/133,113on August 13, 1998

and was amended

on \_\_\_\_\_ (if applicable).

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(Filing Date)

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Robert S. Swecker 19,815  
Helen N. Maniotes 22,124  
Denise S. Duffett, Jr. 22,010  
Norman H. Steppro 22,716  
Ronald L. Grudislocki 24,970  
Frederick G. Mishaud, Jr. 26,033  
Alan H. Kopsacki 25,813  
Regis E. Shutter 26,999  
Samuel C. Miller, III 27,360  
Robert G. Mukai 28,531  
George A. Ilavanc, Jr. 28,223  
Jatius A. LaBarra 28,632  
E. Joseph Goss 28,410

R. Danny Huntington 27,903  
Eric H. Weisblatt 30,505  
James W. Peterson 26,051  
Teresa Stanek Rea 30,427  
Robert E. Krebs 25,885  
William C. Rowland 30,888  
T. Gene Dillahunty 25,423  
Patrick C. Keane 22,858  
Bruce J. Boggs, Jr. 32,344  
William H. Rona 25,952  
Peter K. Skiff 31,917  
Richard J. McGrath 29,195  
Matthew L. Schneider 31,814  
Michael G. Savage 32,596

Gerald F. Swain 30,113  
Michael J. Ure 33,089  
Charles F. Wieland III 33,096  
Bruce T. Wiedler 33,815  
Todd R. Walters 34,040  
Ronni S. Jillions 31,979  
Harold R. Brown III 36,341  
Allen R. Baum 36,086  
Steven M. du Bois 35,023  
Brian P. O'Shaughnessy 32,747  
Kenneth D. Leffler 36,075  
Fred W. Hathaway 32,236

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FULL NAME OF SOLE OR FIRST INVENTOR		SIGNATURE		DATE	
Wayne A. Noda					
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28072 Paseo Rincon, Mission Viejo, California 92692				U.S.A.	
POST OFFICE ADDRESS					
28072 Paseo Rincon, Mission Viejo, California 92692					
FULL NAME OF SECOND JOINT INVENTOR, IF ANY		DATE		SIGNATURE	
Mike L. Jones		5/17/00			
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POST OFFICE ADDRESS					
34441 Camino El Molino, Capistrano Beach, California 92624					
FULL NAME OF THIRD JOINT INVENTOR, IF ANY		SIGNATURE		DATE	
Scott M. Evans					
RESIDENCE				CITIZENSHIP	
1252 Country Hills Drive, Santa Ana, California 92705				U.S.A.	
POST OFFICE ADDRESS					
1252 Country Hills Drive, Santa Ana, California 92705					
FULL NAME OF FOURTH JOINT INVENTOR, IF ANY		SIGNATURE		DATE	
Blair D. Walker					
RESIDENCE				CITIZENSHIP	
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24742 San Duval Lane, Mission Viejo, CA 92691					
FULL NAME OF FIFTH JOINT INVENTOR, IF ANY		SIGNATURE		DATE	
William J. Worthen					
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POST OFFICE ADDRESS					
37 Oakbrook, Coto de Caza, California 92579					
FULL NAME OF SIXTH JOINT INVENTOR, IF ANY		SIGNATURE		DATE	
RESIDENCE				CITIZENSHIP	
POST OFFICE ADDRESS					
FULL NAME OF SEVENTH JOINT INVENTOR, IF ANY		SIGNATURE		DATE	
RESIDENCE				CITIZENSHIP	
POST OFFICE ADDRESS					
FULL NAME OF EIGHTH JOINT INVENTOR, IF ANY		SIGNATURE		DATE	
RESIDENCE				CITIZENSHIP	
POST OFFICE ADDRESS					
FULL NAME OF NINTH JOINT INVENTOR, IF ANY		SIGNATURE		DATE	
RESIDENCE				CITIZENSHIP	
POST OFFICE ADDRESS					